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PATENT APPLICATION

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IN THE
UNITED STATES PATENT AND TRADEMARK OFFICE

Inventor(s): Brett A. Green

Confirmation No.: 8143

Application No.: 10/005,583

Examiner: Honeycutt, K.

Filing Date: 10-26-01

Group Art Unit: 2178

Title: Browser-Controlled Scanning System and Method

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TRANSMITTAL OF APPEAL BRIEF

Transmitted herewith is the Appeal Brief in this application with respect to the Notice of Appeal filed on 3-20-06.

The fee for filing this Appeal Brief is (37 CFR 1.17(c)) $500.00.

(complete (a) or (b) as applicable)

The proceedings herein are for a patent application and the provisions of 37 CFR 1.136(a) apply.

☐ (a) Applicant petitions for an extension of time under 37 CFR 1.136 (fees: 37 CFR 1.17(a)-(d)) for the total number of months checked below:

☐ 1st Month $120	☐ 2nd Month $450	☐ 3rd Month $1020	☐ 4th Month $1590

☐ The extension fee has already been filed in this application.

☒ (b) Applicant believes that no extension of time is required. However, this conditional petition is being made to provide for the possibility that applicant has inadvertently overlooked the need for a petition and fee for extension of time.

Please charge to Deposit Account 08-2025 the sum of $ 500. At any time during the pendency of this application, please charge any fees required or credit any over payment to Deposit Account 08-2025 pursuant to 37 CFR 1.25. Additionally please charge any fees to Deposit Account 08-2025 under 37 CFR 1.16 through 1.21 inclusive, and any other sections in Title 37 of the Code of Federal Regulations that may regulate fees. A duplicate copy of this sheet is enclosed.

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IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In Re Application of:

Brett A. Green

Serial No.: 10/005,583

Filed: October 26, 2001

Confirmation No.: 8143

Group Art Unit: 2178

Examiner: Honeycutt, K.

Docket No. 10013478-1

For: **Browser-Controlled Scanning System and Method**

APPEAL BRIEF UNDER 37 C.F.R. § 41.37

Mail Stop: Appeal Brief-Patents
Commissioner for Patents
P.O. Box 1450
Alexandria, Virginia 22313-1450

Sir:

This Appeal Brief under 37 C.F.R. § 41.37 is submitted in support of the Notice of Appeal filed March 20, 2006, responding to the Final Office Action mailed December 20, 2005.

It is not believed that extensions of time or fees are required to consider this Appeal Brief. However, in the event that additional extensions of time are necessary to allow consideration of this paper, such extensions are hereby petitioned under 37 C.F.R. § 1.136(a), and any fees required therefor are hereby authorized to be charged to Deposit Account No. 08-2025.

I. Real Party in Interest

The real party in interest is Hewlett-Packard Development Company, LP, a limited partnership established under the laws of the State of Texas and having a principal place of business at 20555 S.H. 249 Houston, TX 77070, U.S.A. (hereinafter "HPDC"). HPDC is a Texas limited partnership and is a wholly-owned affiliate of Hewlett-Packard Company, a Delaware Corporation, headquartered in Palo Alto, CA. The general or managing partner of HPDC is HPQ Holdings, LLC.

II. Related Appeals and Interferences

There are no known related appeals or interferences that will affect or be affected by a decision in this Appeal.

III. Status of Claims

Claims 1-24 stand finally rejected. No claims have been allowed. The final rejections of claims 1-24 are appealed.

IV. Status of Amendments

This application was originally filed on October 26, 2001, with twenty (20) claims. In a Response filed November 12, 2004, Applicant amended claims 1-3 and added new claims 21-24.

All of the above-identified amendments have been entered and no other amendments have been made to any of claims 1-24. The claims in the attached Claims Appendix (see below) reflect the present state of those claims.

V. Summary of Claimed Subject Matter

The claimed inventions are summarized below with reference numerals and references to the written description ("specification") and drawings. The subject matter described in the following appears in the original disclosure at least where indicated, and may further appear in other places within the original disclosure.

Independent claim 1 describes a method for scanning a document. The method of comprises receiving a scan request from a user browser. *Applicant's specification*, page 12, lines 3-18. The method of claim 1 further comprises uploading content to the user browser. *Applicant's specification*, page 12, line 19 to page 13, line 2. The method of claim 1 further comprises receiving selections made with the user browser. *Applicant's specification*, page 14, lines 9-15. The method of claim 1 further comprises scanning the document in accordance with the user selections. *Applicant's specification*, page 15, lines 10-18.

Independent claim 9 describes a system for scanning a document. The system of comprises means (316, Fig. 3) for receiving a scan request from a user browser. *Applicant's specification*, page 12, lines 3-18. The system of claim 9 further comprises means (316, Fig. 3) for uploading content to the user browser. *Applicant's specification*, page 12, line 19 to page 13, line 2. The system of claim 9 further comprises means (316, Fig. 3) for receiving selections made with the user browser. *Applicant's specification*, page 14, lines 9-15. The system of claim 9 further comprises means (304, Fig. 3) for scanning the document in accordance with the user selections. *Applicant's specification*, page 15, lines 10-18.

Independent claim 13 describes a system for scanning a document. The system of comprises logic (316, Fig. 3) configured to receive a scan request from a user browser. *Applicant's specification*, page 12, lines 3-18. The system of claim 13 further comprises logic (316, Fig. 3) configured to upload content to the user browser. *Applicant's specification*, page 12, line 19 to page 13, line 2. The system of claim 13 further comprises logic (316, Fig. 3) configured to receive selections made with the user browser. *Applicant's specification*, page 14, lines 9-15. The system of claim 13 further comprises logic (320, Fig. 3) configured to scan the document in accordance with the user selections. *Applicant's specification*, page 15, lines 10-18.

Independent claim 17 describes a scanning device (104, Figs. 1 and 3). The device of comprises a processing device (300, Fig. 3). The device of claim 17 further comprises scanning hardware (304, Fig. 3). The device of claim 17 further comprises memory comprising a scan control module (316, Fig. 3) and an embedded server (318, Fig. 3), the scan control module comprising a scanning module (320, Fig. 3) and an optical character recognition module (322, Fig. 3), the scan control module further including logic for generating at least one control screen that can be uploaded to a user browser. *Applicant's specification*, page 12, line 19 to page 13, line 2.

VI. Grounds of Rejection to be Reviewed on Appeal

The following grounds of rejection are to be reviewed on appeal:

1. Claims 1-3, 6, 9, 11, 13, 15, and 21-23 have been rejected under 35 U.S.C. § 102(e) as being anticipated by *Kuwata, et al.* ("Kuwata," U.S. Pub. No. 20030072031).

2. Claims 4, 5, 7, 8, 12, and 16 have been rejected under 35 U.S.C. § 103(a) as being unpatentable over *Kuwata* in view of *Dance, et al.* ("Dance," U.S. Pub. No. 2002/0076111).

3. Claims 10 and 14 have been rejected under 35 U.S.C. § 103(a) as being unpatentable over *Kuwata* in view of *Somashekar, et al.* ("Somashekar," U.S. Pub. No. 2002/0116477).

4. Claims 17-20 and 24 have been rejected under 35 U.S.C. § 103(a) as being unpatentable over *Kuwata* in view of *Dance* in further view of *Somashekar*.

VII. Arguments

The Appellant respectfully submits that Applicant's claims are neither anticipated under 35 U.S.C. § 102 nor obvious under 35 U.S.C. § 103, and respectfully requests that the Board of Patent Appeals overturn the final rejections of those claims at least for the reasons discussed below.

A. Claim Rejections - 35 U.S.C. § 102(e)

Claims 1-3, 6, 9, 11, 13, 15, and 21-23 have been rejected under 35 U.S.C. § 102(e) as being anticipated by *Kuwata, et al.* ("Kuwata," U.S. Pub. No. 2003/0072031). Applicant respectfully traverses this rejection.

It is axiomatic that "[a]nticipation requires the disclosure in a single prior art reference of each element of the claim under consideration." *W. L. Gore & Associates, Inc. v. Garlock, Inc.*, 721 F.2d 1540, 1554, 220 USPQ 303, 313 (Fed. Cir. 1983). Therefore, every claimed feature of the claimed invention must be represented in the applied reference to constitute a proper rejection under 35 U.S.C. § 102(e).

In the present case, not every feature of the claimed invention is represented in the Kuwata reference. Applicant discusses the Kuwata reference and Applicant's claims in the following.

1. The Kuwata Disclosure

Kuwata discloses a "web-based document organizer and proofing system" for use with a "document server." *Kuwata*, paragraph 0040, lines 1-3. As described by Kuwata, the system includes a server, preferably the GL-1010 sold by Toshiba America Business Solutions, Inc. *Kuwata*, paragraph 0040, lines 3-5. The server includes a "front panel" with which a user can interface. *Kuwata*, paragraph 0041, lines 1-2. Kuwata states that the front panel can be operated by a user to "scan or copy documents *at the server*." *Kuwata*, paragraph 0042, lines 1-4 (emphasis added). Furthermore, Kuwata states the following:

> A user can scan hardcopy documents into the proofing system repository by selecting a "Scan" and "Send destination." *From the front panel, the user shall be presented with an optional proofing system as a scan destination*. For a non-registered user, the default Public folder of the proofing system is shown. For registered users, the default Public folder and private folder are shown. For Administrator users, the DEPARTMENT folder is shown in addition to the default Public and

private folders. *The user selects a folder and proceeds to scan.* The user can change any scan job parameters as needed. A document that contains scan pages is automatically created by the proofing system. The name of the document generated by the proofing system is displayed on the front panel. *Upon completion of the scan job, the user can use a web browser to access the proofing system to manage or edit the scanned files.* An Administrator user can also select the DEPARTMENT folder to scan hardcopy to the proofing system repository.

Kuwata, paragraph 0047 (italic emphasis added).

From the above excerpt, it can be appreciated that Kuwata's server can be used as a walk-up device to control scanning of documents through manipulation of the "front panel" of the server. However, it is only *after* the scanning has been completed that the scanned document may be accessed with a web browser. In other words, a user cannot *initiate* scanning in Kuwata's system using a browser.

2. Applicant's Claims

Kuwata fails to teach several of Applicant's claim limitations. Applicant discusses some of those claim limitations in the following.

(a) Claims 1-3 and 6

Independent claim 1 provides as follows (emphasis added):

1. A method for scanning a document, comprising:
receiving a scan request from a user browser;
uploading content to the user browser;

receiving selections made with the user browser; and

scanning the document in accordance with the user selections.

(i) Receiving a Scan Request from a User Browser

Regarding claim 1, Kuwata does not teach a method for scanning a document comprising "receiving a scan request from a user browser". As noted above, Kuwata only discloses such a scan request being received through a "front panel" of a server. *Kuwata*, paragraph 0047. Kuwata fails to anticipate claim 1 for at least that reason.

In the final Office Action, the Examiner argued that Kuwata teaches "receiving a scan request from a user browser" in paragraph 8 and paragraph 47. Kuwata's paragraph 8 provides as follows:

> In view of the aforementioned difficulties and drawbacks with previous type systems, the invention contemplates a client server based system wherein the server is accessible by the client across a network, preferably the Internet, utilizing a browser. The client computer may send print jobs to the server through the browser and is not required to have a printer driver installed on the client. The server may also receive input from faxes or file transfers from the client via the browser. Additionally, the server may also function as a document scanner. Documents may be stored on the server which can be viewed, edited, copied, moved, renamed or deleted by the client utilizing a browser. The client may print or fax documents from the server through the browser.

Kuwata, paragraph 8.

As can be appreciated from the above excerpt, Kuwata says nothing of a "scan request", i.e., a request to scan a document. Instead, Kuwata merely states that

the "server" may function as a document scanner and that *already scanned* documents can be "viewed, edited, copied, moved, renamed or deleted by the client utilizing a browser." Clearly, this is not "receiving a scan request from a user browser" within the meaning of Applicant's disclosure. Applicant notes for the record that it is well established in the law that claim terms are to be interpreted in light of the disclosure. *Markman v. Westview Instruments, Inc.*, 52 F.3d 967, 34 USPQ2d 1321 (Fed. Cir. 1995)(in banc), *aff'd*, 517 U.S. 370, 38 USPQ2d 1461 (1996) ("Claims must be read in view of the specification, of which they are a part").

Turning to paragraph 47 of the Kuwata reference, Kuwata states:

> A user can scan hardcopy documents into the proofing system repository by selecting a "Scan" and "Send destination." *From the front panel*, the user shall be presented with an optional proofing system as a scan destination. For a non-registered user, the default Public folder of the proofing system is shown. For registered users, the default Public folder and private folder are shown. For Administrator users, the DEPARTMENT folder is shown in addition to the default Public and private folders. The user selects a folder and proceeds to scan. The user can change any scan job parameters as needed. A document that contains scan pages is automatically created by the proofing system. The name of the document generated by the proofing system is displayed on the front panel. *Upon completion of the scan job, the user can use a web browser to access the proofing system to manage or edit the scanned files.* An Administrator user can also select the DEPARTMENT folder to scan hardcopy to the proofing system repository.

Kuwata, paragraph 47 (italic emphasis added).

As can be appreciated from the above excerpt, Kuwata again only discusses controlling scanning "from the front panel" and only discusses web access "upon completion of the scan job." Therefore, that excerpt says nothing of a receiving a "scan request", i.e., a request to scan a document, from a browser.

In the Advisory Action, the Examiner states:

> Regarding independent claim 1, Applicants argue that Kuwata does not teach a method for scanning a document comprising "receiving a scan request from a user browser" (p. 9 lines 12-13, p. 11, lines 8-9). The Examiner disagrees because Kuwata teaches a server for scanning a document that is accessible through the network by PC's on a network utilizing a local Internet (p. 2, para. 42). In other words, a user will access the server through a browser to request a scan or copy documents.

Advisory Action, page 2, paragraph 1.

Applicant notes that, even if Kuwata does teach (a) a server for scanning a document, and (b) the server is accessible through the network, this does *not* mean that Kuwata actually teaches receiving scan requests with the server. In fact, Kuwata explicitly states that such scan "requests" are made through a "front panel" of the server. Although Kuwata teaches accessing the server with a browser, Kuwata only describes such access for the purpose of viewing *already scanned* documents. *Kuwata*, paragraph 0047. Therefore, the Examiner's conclusion that Kuwata teaches "receiving a scan request from a user browser" is not supported by the Kuwata disclosure.

Furthermore, the Examiner states in the Advisory Action that Kuwata teaches "a user requesting to scan a document by selecting 'scan' on the server (p. 3, para. 47), which

can also be accessed through a browser (p. 2, para. 42). *Advisory Action*, page 2, paragraph 1. Again, Kuwata only teaches the user requesting scanning of a document "at the server" with the server's "front panel" in those paragraphs. There is no support provided in the Kuwata disclosure for the conclusion that such a scan request can also be made with a browser.

(ii) Receiving Selections Made with the User Browser

Applicant further asserts that Kuwata does not teach "receiving selections made with the user browser". Again, scanning in the Kuwata system is controlled from the front panel of Kuwata's server, and web access is only available after scanning is completed. Therefore the server is not accessed using a browser prior to scanning to "receive" scanning selections.

Regarding the Examiner's reliance on Kuwata's paragraphs 8 and 47 in relation to the "receiving selections" limitation, Applicant refers to the discussion of those paragraphs provided in the foregoing and notes that both paragraphs are devoid of a teaching of receiving scanning selections made with a browser.

In the Advisory Action, the Examiner states:

> Applicants further argue that Kuwata does not teach "receiving selections made with the user browser" (p. 11, lines 13-14). The Examiner disagrees because Kuwata teaches a server with capability for a user selecting a scan option and receiving changes in scan job preferences made by the user (p. 3., para. 47). Kuwata further teaches the server being accessible through the network by PC's on a network utilizing a local Internet (p. 2, para. 42).

In other words, a user will make selections on the server through a browser.

Advisory Action, page 2, paragraph 2.

Again, Applicant reiterates that Kuwata only describes scan requests made through a "front panel" of the server. That Kuwata teaches accessing *already scanned* documents with a browser does not equate to a teaching of requesting scanning with the browser.

(iii) Dependent Claims

With particular regard to dependent claim 2, Kuwata does not teach uploading content to a user browser in the form of "at least one control screen" at least because, as described above, all scanning control is exercised at the server front panel in the Kuwata system.

Regarding dependent claim 3, Kuwata further does not teach uploading content to a user browser comprising "at least one application that is configured to perform a designated task on a computing device". As for paragraph 0053 of the Kuwata reference identified by the Examiner, that paragraph only describes "enabling" extra "tabs or buttons" on the web browser for the system administrator. First, the administrator is not a "user" within the meaning of Applicant's claims because the administrator is not "scanning a document" in the context of paragraph 0053. Applicant notes that Kuwata describes no such tabs or buttons being enabled for a user in a scanning context. Second, although Kuwata describes "enabling tabs or buttons," Kuwata does *not* teach uploading an "application" as is required by claim 3.

Regarding dependent claim 21, Kuwata does not teach that the "receiving, uploading, and scanning" of claim 1 are performed by a "scanning device". Instead, as is noted above, Kuwata teaches a *server* that is used to directly input a scan request. Kuwata does not state, however, that the server actually is a "scanning device" or actually performs the scanning itself. Although the component that actually performs the scanning is not identified by Kuwata, presumably that scanning is performed by a *separate scanner* that is connected to the server.

In response to the Examiner's argument in the Advisory Action that Kuwata's "server" is a "scanning device", Applicant asserts that the persons having ordinary skill in the art know that a "server" is not a "scanning device", i.e., a device that comprises scanning hardware that actually performs scanning. To equate a "server" with a "scanning device" is to go against the plain and ordinary meaning of the term "scanning device". Applicant further notes that the term "scanning device" is explicitly defined by Applicant's specification to be a device that actually performs scanning. In particular, Applicant's specification provides:

> For the purposes of this disclosure, the term "scanning device" is used to denote any device that is *capable of electronically scanning data*. Therefore, the scanning device 104 can, for instance, comprise an independent scanner 106 or a multifunction peripheral (MFP) 108, sometimes referred to as an "all-in-one," that is capable of scanning as well as other different functionalities.

Applicant's specification, page 6, line 5-9 (emphasis added).

Nothing in Kuwata's disclose indicates that the "server" is "capable of electronically scanning data." Applicant notes that it is well established in the law that claim terms are to be *interpreted in light of the specification. Markman v. Westview Instruments, Inc.*, 52 F.3d 967, 34 USPQ2d 1321 (Fed. Cir. 1995)(in banc), *aff'd*, 517 U.S. 370, 38 USPQ2d 1461 (1996) ("Claims must be read in view of the specification, of which they are a part").

(b) Claims 9 and 22

Independent claim 9 provides as follows (emphasis added):

> 9. A system for scanning a document, comprising:
> *means for receiving a scan request from a user browser*;
> means for uploading content to the user browser;
> *means for receiving selections made with the user browser*; and
> means for scanning the document in accordance with the user selections.

Regarding claim 9, Kuwata does not teach "means for receiving a scan request from a user browser" or "means for receiving selections made with the user browser" at least for reasons described above in relation to claim 1. Claims 9 and 22 are believed to allowable over Kuwata for at least those reasons.

With particular regard to dependent claim 22, Kuwata does not teach that all "means" of claim 9 are provided on a "scanning device". Applicant refers to the discussion of claim 21 above.

(c) Claims 13, 15, and 23

Independent claim 13 provides as follows (emphasis added):

> 13. A system for scanning a document, comprising:
> *logic configured to receive a scan request from a user browser*;
> logic configured to upload content to the user browser;
> *logic configured to receive selections made with the user browser*; and
> logic configured to scan the document in accordance with the user selections.

Regarding claim 13, Kuwata does not teach "logic configured to receive a scan request from a user browser" or "logic configured to receive selections made with the user browser" at least for reasons described in the foregoing. Claim 13 and its dependents are believed to allowable over Kuwata for at least those reasons.

With particular regard to dependent claims 15 and 23, Applicant refers back to the discussions of claims 3 and 21 above.

B. Claim Rejections - 35 U.S.C. § 103(a)

1. Rejection of Claims 4, 5, 7, 8, 12, and 16

Claims 4, 5, 7, 8, 12, and 16 have been rejected under 35 U.S.C. § 103(a) as being unpatentable over *Kuwata* in view of *Dance, et al.* ("Dance," U.S. Pub. No. 2002/0076111). Applicant respectfully traverses this rejection.

As identified above, Kuwata does not teach explicit limitations of Applicant's claims. In that Dance does not remedy the deficiencies of the Kuwata reference, Applicant respectfully submits that claims 4, 5, 7, 8, 12, and 16, which depend from claims 1, 9, and

13, are allowable over the Kuwata/Dance combination for at least the same reasons that claims 1, 9, and 13 are allowable over Kuwata.

Regarding the limitations of claims 4, 5, 7, 8, 12, and 16, Applicant notes that the Examiner merely identifies that Dance teaches performing optical character recognition, and concludes that, in view of that teaching, each of claims 4, 5, 7, 8, 12, and 16 are obvious. Applicant asserts that the Examiner is *ignoring the explicit limitations of those claims*, which do not merely recite "optical character recognition" in the abstract.

With regard to dependent claim 4, for example, neither Kuwata nor Dance teach or suggest "uploading" an "application" that is "configured to perform optical character recognition" to a "user browser". Again, Kuwata fails to actually teach uploading any application to a browser, and Dance merely teaches performing optical character recognition not uploading an optical character recognition program.

Furthermore, with regard to dependent claim 5, neither Kuwata nor Dance teach or suggest "uploading" an "application" that is "configured to locate an optical character recognition module of a computing device on which the browser runs". Again, Kuwata fails to actually teach uploading any application to a browser, and Dance merely teaches performing optical character recognition not uploading a program that seeks out an optical character recognition program.

2. Rejection of Claims 10 and 14

Claims 10 and 14 have been rejected under 35 U.S.C. § 103(a) as being unpatentable over *Kuwata* in view of *Somashekar, et al.* ("Somashekar," U.S. Pub. No. 2002/0116477). Applicant respectfully traverses this rejection.

As identified above, Kuwata does not teach explicit limitations of Applicant's claims. In that Somashekar does not remedy the deficiencies of the Kuwata reference, Applicant respectfully submits that claims 10 and 14, which depend from claims 9 and 13, are allowable over the Kuwata/Somashekar combination for at least the same reasons that claims 9 and 13 are allowable over Kuwata.

Regarding the limitations of claims 10 and 14, Applicant asserts that there would be no reason for a person having ordinary skill in the art to employ an "embedded server" in the Kuwata system given that Kuwata is scanning control component is an actual server. For further discussion on this issue, see the discussion of the rejection of claim 17 below.

3. Rejection of Claims 17-20 and 24

Claims 17-20 and 24 have been rejected under 35 U.S.C. § 103(a) as being unpatentable over *Kuwata* in view of *Dance* in further view of *Somashekar*. Applicant respectfully traverses this rejection.

Independent claim 17 provides as follows (emphasis added):

> 17. A *scanning device*, comprising:
> a processing device;
> *scanning hardware*; and
> memory comprising a scan control module and an *embedded server*, the scan control module comprising a scanning module and an optical character recognition module, the scan control module further including *logic for generating at least one control screen that can be uploaded to a user browser.*

Regarding claim 17, none of the references teach a "scanning device" comprising "logic for generating at least one control screen that can be uploaded to a user browser". Again, Kuwata, which is relied upon by the Examiner, teaches a server, not a scanner that can upload data to a browser. Furthermore, Kuwata does not describe uploading a "control screen" used for scanning.

The Examiner relies upon the Somashekar reference for addressing the "embedded server" limitation. In the final Office Action, the Examiner states

> Somashekar discloses an embedded server (p. 1, para. 8, 10). It would have been obvious to one of ordinary skill in the art, having the teachings of Kuwata, dance and Somashekar before him at the time the invention was made, to modify the scanning device taught by Kuwata to include memory as taught by Dance and an embedded server as taught by Somashekar because utilizing an embedded server allows for services to be maintained and administered at a central location which simplifies the management of devices, as taught by Somashekar (p. 1, para. 8)

Office Action of December 20, 2005, pages 8-9.

What the Examiner apparently fails to appreciate, however, is that, as described above, the device that controls scanning in Kuwata's system already *is* a server. Again, Kuwata only discusses a server, and omits a description of the device that actually performs the scanning. Therefore, it would make no sense whatsoever to add an "embedded" server to Kuwata's "server." Even if such an addition were made, it would not "allow for services to be maintained and administered" any more than such services can already be maintained and administered using Kuwata's existing server. The basic pertinent fact here is that none

of the references even contemplate hosting scanning services with an actual scanning device.

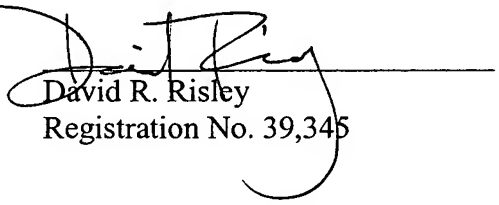
Regarding the limitations of dependent claims 18, 19, and 20, none of the references actually disclose a "scanning device" that comprises "an application that can be uploaded to the user browser" or that such an application is "configured to perform optical character recognition" or "locate an optical character recognition module of a computing device", as are required by those claims. Applicant refers to the discussion of such components and functions provided in the foregoing.

Regarding the limitations of claim 24, the references further fail to teach that the "scanning device" of claim 17 is a "scanner" or a "multifunction peripheral (MFP) device".

VIII. Conclusion

In summary, it is Applicant's position that Applicant's claims are patentable over the applied prior art references and that the rejection of these claims should be withdrawn. Appellant therefore respectfully requests that the Board of Appeals overturn the Examiner's rejection and allow Applicant's pending claims.

Respectfully submitted,

By: 
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Mary M. Lepien
Signature

Claims Appendix under 37 C.F.R. § 41.37(c)(1)(viii)

The following are the claims that are involved in this Appeal.

1. A method for scanning a document, comprising:

receiving a scan request from a user browser;

uploading content to the user browser;

receiving selections made with the user browser; and

scanning the document in accordance with the user selections.

2. The method of claim 1, wherein uploading content to the user browser comprises uploading logic configured to generate at least one control screen for display within the browser.

3. The method of claim 1, wherein uploading content to the user browser comprises uploading at least one application that is configured to perform a designated task on a computing device on which the browser runs.

4. The method of claim 3, wherein the at least one application is configured to perform optical character recognition on the scanned document.

5. The method of claim 3, wherein the at least one application is configured to locate an optical character recognition module of a computing device on which the browser runs.

6. The method of claim 1, further comprising uploading scanned data to the user browser for viewing.

7. The method of claim 1, further comprising performing optical character recognition on the scanned document.

8. The method of claim 7, further comprising uploading an optically character recognized document to the user browser for viewing.

9. A system for scanning a document, comprising:

means for receiving a scan request from a user browser;

means for uploading content to the user browser;

means for receiving selections made with the user browser; and

means for scanning the document in accordance with the user selections.

10. The system of claim 9, wherein the means for uploading content to the user browser comprises an embedded server.

11. The system of claim 9, wherein the means for uploading content to the user browser comprise means for uploading at least one application that is configured to perform a designated task on a computing device on which the browser runs.

12. The system of claim 9, further comprising means for performing optical character recognition on the scanned document.

13. A system for scanning a document, comprising:

logic configured to receive a scan request from a user browser;

logic configured to upload content to the user browser;

logic configured to receive selections made with the user browser; and

logic configured to scan the document in accordance with the user selections.

14. The system of claim 13, wherein the logic configured to upload content to the user browser comprises an embedded server.

15. The system of claim 13, wherein the logic configured to upload content to the user browser comprises logic configured to upload at least one application that is configured to perform a designated task on a computing device on which the browser runs.

16. The system of claim 13, further comprising logic configured to perform optical character recognition on the scanned document.

17. A scanning device, comprising:

a processing device;

scanning hardware; and

memory comprising a scan control module and an embedded server, the scan control module comprising a scanning module and an optical character recognition module, the scan control module further including logic for generating at least one control screen that can be uploaded to a user browser.

18. The device of claim 17, wherein the memory further comprises at least one application that can be uploaded to the user browser.

19. The device of claim 18, wherein the at least one application is configured to perform optical character recognition on scanned documents.

20. The device of claim 18, wherein the at least one application is configured to locate an optical character recognition module of a computing device on which the browser runs.

21. The method of claim 1, wherein the receiving, uploading, and scanning are all performed by a scanning device.

22. The system of claim 9, wherein all the means are provided on a scanning device.

23. The system of claim 13, wherein all the logic is provided on a scanning device.

24. The scanning device of claim 17, wherein the scanning device comprises a scanner or a multifunction peripheral (MFP) device.

Evidence Appendix under 37 C.F.R. § 41.37(c)(1)(ix)

There is no extrinsic evidence to be considered in this Appeal. Therefore, no evidence is presented in this Appendix.

Related Proceedings Appendix under 37 C.F.R. § 41.37(c)(1)(x)

There are no related proceedings to be considered in this Appeal. Therefore, no such proceedings are identified in this Appendix.